THE RESOLVING OF CONSCIENCE

Upon this Question.

Whether upon such a Supposition or Case, as is now usually made (The King will not discharge his trust but is bent or seduced to subvert Religion, Laws, and Liberties) Subjects may take Arms and resist: and whether that case be now:

RESOLVED,

I. *That no Conscience upon such a Supposition or Case can finde a safe and cleare ground for such resistance.*

II. *That no man in Conscience can be truly perswaded, that the resistance now made is such, as they themselves pretend to, that plead for it in such a case,*

III. *That no man in Conscience can be truly perswaded that such a case is now,* that is, *that the King will not discharge his trust but is bent to subvert, &c.*

Whence it followeth,

That the resistance now made against the higher Power is unwarrantable, and according to the Apostle Damnable, *Rom.* 13.

Also that the shedding of bloud in the pursuit of this resistance is Murder.

By H. FERN D. D. &c

Woe unto them that call evil good, and good evill, that put darknesse for light, and light for darkenesse, Isa. 5. 20.

O my soule come not thou into their secret, Gen. 49. 6.

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To all Misse-led People in this Land.

HE that in these times will speak any thing to the people in behalf of the King, is likely to do it upon disadvantage, and be heard with prejudice: but they that would be profitably informed by what they heare, must lend an equall eare to what is spoken; which I hope you wil do, being such, for the most part, as professe to make a conscience of your ways. I desire therfore of you, into whose hands this Treatise shall come, that you would receive it with minde and affection, answerable to that wherewith it is offered to you, free from partiality and private respects; that you would consider Cases of Conscience are written out of Conscience: And were a distressed Prince a fit object for flattery, or this kind of instruction capable of such Language, yet is this a time for every man to inform and speak his Conscience; and as many of you as shall read me in this Book, will, I hope, conceive, I had no other purpose in the publishing of it, then to give testimony to the Truth for the directing of your Consciences & the discharge of mine owne. I have therefore written it plainly without affectation of curiosity, having respect onely to your profit; the Learned through the Land are sufficiently perswaded, and I may assure you all Ages have asserted this Truth, out of which I could have drawne a cloud of Witnesses, and presented them to your sight; but thought it more expedient for your direction, to shew you the cleer light of Divine Scripture and rectified Reason, the onely Rules of Conscience: and if by these you shall be brought to see the crookednesse of the New Doctrine of these times, and the uneven dangerous windings of this way of resistance I have gained the end of my desires, and you have not lost by it.

One thing I must note as strange, that to discourse upon this argument should be thought (as it is by many) a work altogether beyond the profession of the Divine. Indeed popular Statesmen have always held it very impolitick and unreasonable that Subjects should not in dangers imminent have means to save themselves by a Power of resistance, and accordingly framed their principles and grounds of State as unquestionable. Wee examine not the power or wisdome of Law-makers, but when we receive their Law, Declaration, or Command, and know it *in terminis*, understand it in the sense it beares, certainly it belongs to the Divine

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Divine to consider whether it be against Gods Law, and accordingly to instruct his people. If it be agreed upon as a thing known in this State, that the King is *the higher Power* according to S. Paul, *the Supreme* according to S. Peter, *the Father of the Commonwealth* according to the fift Commandment, surely it belongs to the Divine to urge obedience, honour, and subjection according to those places, and reprove resistance forbiden there: Which obedience we acknowledge to be limited and circumscribed by the established Laws of the Land, and accordingly to be yielded or denied to the higher Power, if those Laws be not repugnant to the Law of God: And for Resistance, as we have not yet heard of any Law of the Land that commands or warrants it, so wee know that were there any Law or Ordinance made to enjoyne it, such would not bind, being against the Apostles expresse prohibition, back'd with arguments drawn from the very reason of Government, as shall be shewn in this following Treatise.

Be they who they will that present you with imminent dangers, and work upon your fears, that tell you of Fundamentall Laws, and give you rules of policy to captivate your reason; when all that's done, it is the Divine that must settle the Conscience, which will not be quiet, if in yielding obedience to any Law or Ordinance, it comes to a suspition, that such an Ordinance of man entrencheth upon the Word of God.

Let mee tell you (for I suppose you follow this way *in the simplicity of your hearts*) how you are wrought upon by them that mis-lead you. You are dealt with according to your generall desire of the continuance of true Religion and the Subjects Liberty, not according to the particular grounds of safety which conscience doth require: You are told, the Gospel and your Liberties and all you have are in most imminent danger, and without taking Arms for the defence, irrecoverably lost; and that this is lawfull by the Fundamentals of this Kingdom: You must take all this upon trust, without an expresse and particular warrant, to rule and secure your Conscience against the expresse words of the Apostle forbidding resistance, *Rom.* 13.

You professe your selves enemies to Popery, and good reason for it, but why should you therefore be enemies to your King that declares against it too. I would you could observe how, under pretence of keeping out Popery, you are led in this way of resistance by the like steps that brought Popery in. For examine your hearts and try if the name of *Parliament* (which is of honourable esteem with all) be not raised to the like excesse of credit with you, as the name of the *Church* is with the Papists; if you have not within you a silent thought of infallibility in that great Councell, and so with an implicit faith are ready to receive and maintain whatever is concluded there; if you be not drawn to believe your Prince is minded to overthrow Religion, and upon such a supposall or belief (according to the very method of Jesuiticall practices) to take up Arms against him.

So will you, if you looke not to it, be blindly carried on against all rules of Conscience; for you have neither certain knowledge of your Princes heart, to resolve for resistance upon a supposall of such intentions in him; nor have you any certain rule to warrant the lawfulnesse of resisting upon such supposall, and to secure you against the Apostles prohibition, and damnation laid upon it; nor have you any judgement of Charity in concluding in such intentions in your Prince against his deepest protestations made in such times of his distresse, and without that, all is nothing though you lay down, as you thinke, your life for Religion. 1 *Cor.* 13. How much safer would it be for you to be guided by the sure rules of Conscience, and (if it should please God to bring upon you what you feare) to suffer unjustly, then in the unwarrantable prevention of it to doe unjustly.

To this purpose shall you have this Treatise speaking to you for the direction of your Consciences. If you think it strikes too boldly upon any thing concerning the Parliament, I desire yours and their favourable interpretation, faine would I silence every thought and word that may seeme to reflect upon that high Court; but what is necessary, I must speak for Truth and Conscience sake, from which neither King nor Parliament should make us swerve. Wee are taught that Kings must not be flattered; and the people ought to learn, that Parliaments must not be Idolized: That has been often charged as a fault upon the Clergy, and This I feare is that sin of the people, which, together with the licentiousnesse indulged back again to them, ha's moved God to blow upon that wish'd for fruit wee might have reaped by this so desired a Parliament.

For when I see man is more sensible of every breach of his owne Rights and Priviledges, then of those unparalleld breaches so frequently made upon Gods publick Worship, I cannot but thinke the Lord will require it of this Land; and when I see right and just subverted, property and liberty exposed to the will and power of every one that is pleased to conceive his Neighbour a Malignant, and able to make him so by commanding his goods and person, I cannot but complain with the Psalmist, *Psal.*85. *The foundations of the earth are out of course;* and appeal to Heaven, *Arise O God, judge thou the earth.* And I trust, that albeit this Spirit of seduction may prevail a while, and this way of resistance prosper, for the great but just punishment of this sinfull Land, the Lord will look down from Heaven, and make Truth and Peace again to flourish out of the earth, will look upon the face of his Anointed, and by this affliction as by *a loving correction make him great.* *Psal.*18.35. Great to the mayntenance of Gods true Religion, and to the restoring of the peace and prosperity of this Kingdom; And *Let all the people say,* Amen.

The

THE CONTENTS.

Sect. I.

The explication of the Question, and generall Resolution of it.

Sect. II. *The principle or ground on which they go for Resistance examined by Scripture. Their chief examples, (to which should have been added Libnah's, but answered now in the last Sect.) Scriptures against them; especially that of the 13. to the* Rom. *urged and cleared: where shewed, The King is that higher Power, That all are forbidden to resist, even the Senate, which by the fundamentalls of that State might challenge as much as our great Councell can. That prohibition concerns all times; and was good, not onely in that State, because they were absolute Monarches, but in all States because of the preservation of Order which should be in all, and was good not onely against the Christians, because their Religion was enacted against by Law, but also against the Senate and People, though they were enslaved.*

Sect. III. *Their principle examined by reason. Of Fundamentalls, their groundworke according to the pleaders for resistance, is the originall of Power from the people; and their re-assuming it, when the Prince will not discharge his trust.*

The power it selfe, (distinguished from the designing of the Person, and the Qualification of it in severall forms of government) is from God as an ordinance or constitution under that providence whereby God rules the whole world, Creatures reasonable as well as unreasonable.

Sect. IIII. *That Power cannot be forfeited to the people or reassumed by them. They cannot prove it by vertue of the first election, or by any capitulation or covenant, or the Oath betweene Prince and people.*

Sect. V. *Nor can it be proved by that necessitie of means of safety which should be in every State to provide for it selfe: but greater dangers and inconveniences would follow by such means of safety as are pretended to, by resuming the Power.*

Sect. VI. *The Examination of the Resistance now made. Where shewen, that it is not such as they themselves pretend to, who plead for it; either for the generall and unanimous consent of the Kingdome; for it was not so agreed upon: or for the defensive way of it; because the King is upon the defensive, For he was not first in arms, and the Contention must needs appeare to be for something the King hath right to hold or is bound by oath to maintain. Also because to any mans Conscience it will appeare to bee an oppugnation rather then a resistance or mere defence.*

Sect. VII. *The Case is not in being. No Conscience can conclude the King to be, what they would have him supposed: because the jealousies are groundlesse. The King hath done sufficient to clear them, by Promises, Protestations, Acts of Grace. And Conscience if it hold the rule of Charitie, will not against all those conclude contrary intentions in him, upon them to ground resistance, but will if it will not be partiall, judge the King hath offered such reasonable means of securitie to this State as ought to have bin apprehended rather then this Kingdom embroyled in a civill war, and Ireland neglected. Lastly, a Conscience that concludes for resistance, wants the perswasion of faith, and the judgement of charitie in an high measure, and cannot appeare safely at Gods tribunall.*

The

The Resolving of Conscience, Touching the unlawfulnesse of the Warre and Resistance now made against the King.

LAmentable are the distractions of this Kingdome, and the more, because they gather strength from the name and authority of (that, which as it is of high esteeme with all, so should it be a remedy to all these our distempers) a Parliament: and from the pretended defence of those things that are most deare unto us, Religion, Liberties, Lawes. Whereupon so many good people, that have come to a sense of Religion and godlinesse, are miserably carried away by a strange implicite faith to beleeve, that whatsoever is said or done in the name of a Parliament, and in the pretended defence of Religion, Liberties, Lawes, to be infallibly true, and altogether just.

But he that will consider, men are men, and would seeke a surer rule for his conscience then the Traditions or Ordinances of men taken hand over head, shall upon reasonable examination find upon what plausible but groundlesse principles, upon what faire but deceiving pretences, upon what grievous but causelesse imputations laid upon Majestie it self, a poore people are drawn into Armes against the duty and allegiance they ow to their Prince by the Laws of God and man. For directing the Conscience in such an examination this ensuing Discourse is framed as briefly and plainly as the matter will permit.

SECT. 1.

CONscience in resolving upon a question, first layes down the Proposition or Principle or Ground on which it goes; then it assumes or applyes to the present case; then it concludes and resolves: as in this question, affirmatively for Resistance, thus, Subjects in such a case may arm and resist: But that case is now come: Therefore now they may and doe justly resist.

Or negatively against Resistance, either by denying the Principle: Subjects may not in such a case arm and resist; therefore now they doe not justly resist. Or by admitting the Principle and denying the Case; Subjects in such a case may arm and resist. But that case is not now. Therefore now they do not justly arm and resist.

What it is that Conscience is here to admit or deny, and how it ought to conclude and resolve, this ensuing Treatise will discover: which that it may more clearely appeare, we will premise,

First, that in the Proposition or Principle by the word *Resistance* is meant, not a denying of obedience to the Princes command, but a rising in arms, a forcible resistance; this though clear enough in the question, yet I thought fit to insinuate, to take off that false imputation laid upon the Divines of this Kingdom, & upon all those that appear for the King in this cause, that they endeavoured to defend an absolute power in him, and to raise him to an Arbitrary way of government; This we are as much against on his part, as against Resistance on the subjects part. For we may & ought to deny

deny obedience to such commands of the Prince, as are unlawfull by the law of God, yea, by the established Laws of the Land: For in these we have his will and consent given upon good advice, and to obey him against the Laws, were to obey him against himselfe, his sudden will against his deliberate will; but a far other matter it is to resist by power of arms, as is in the question implyed, and as we see at this day to our astonishment, first the power of arms taken from the Prince by setting up the *Militia*, then that power used against him by an army in the field.

Secondly, we must consider, that they which plead for Resistance in such a case as is supposed do grant it must be concluded upon, *Omnibus ordinibus regni consentientibus* that is, with the generall and unanimous consent of the Members of the two Houses the representative body of the whole Kingdom: also they yeeld it must be onely *Legitima defensio*, a meer defensive resistance; and this also Conscience must take notice of.

Thirdly, it is considerable that in the supposition or case it is likewise granted by them, that the Prince must first be so and so disposed, and bent to overthrow Religion, Liberties, Laws, and will not discharge his trust for the maintaining of them, before such a Resistance can be pretended to. And although the question is, and must be so put now, as that it seems to streighten the Case, and make it depend upon the suppos'all of the people; yet it so much the more enlarges the falshood of the Principle, for it plainly speaks thus; If subjects beleeve or verily suppose their Prince will change Religion they may rise in arms; whereas all that have pleaded for Resistance in case of Religion did suppose another Religion enjoyned upon the subject first. We will therefore endeavour to cleare all for the resolving of Conscience in these three generalls:

I. That no Conscience upon such a case as is supposed can find clear ground to rest upon for such resistance as is pretended to, but according to the rules of Conscience, *What is not of faith is sin*: and, *In doubtfull things the safer way is to be chosen*; Conscience it will find cause to forbeare and to suffer, rather then resist; *doubtfull*, I say, not that a Conscience truly informed will not clearly see the unlawfulnesse of this Resistance, but because no conscience can be truly perswaded of the lawfulnesse of it, and so that Conscience that resolves for it, must needs run doubtingly or blindly upon the worke.

II. That the resistance now used and made against the Prince is not such as they pretend to, either for that generall and unanimous consent that should precede it, or that defensive way that should accompany it, according to their owne grants that plead for it, and therefore Conscience cannot admit such a resistance as is made now adayes.

III. If Conscience could be perswaded, that it is lawfull in such a case to resist, and that this rising in arms is such a resistance as they say may in such a case be pretended to, yet can it never (if it be willing to know any thing) be truly per-

perswaded that such a case is now come, that is, That the King refuses to discharge his trust, is bent to overthrow Religion, &c. and therefore Conscience cannot but resolve, this Opposition and Resistance to be unlawfull, unwarrantable, and (according to the Apostle) damnable; and that people, running into arms without sufficient warrant, commit murder if they shed bloud in the pursuit of this Resistance, and perish in their own sinne, if die in the cause.

SECT. II.

FIrst then, that the Principle is untrue upon which they go that resist, and that Conscience cannot find clear ground to rest upon for making resi-
Rom 13 2 stance: for it heares the Apostle expressely say, *Whosoever resists shall receive to themselves damnation:* and it cannot find any limitation in Scripture that will excuse the Resistance of these dayes.

The exception or limitation that is made is taken from the Persons resisting, and the Causes of resistance, thus, They that are private persons and doe resist upon any cause receive damnation, but the States or representative body of the whole people may resist upon such or such causes. But how will this satisfie Conscience, when every distinction or limitation made upon any place of Scripture, must have its ground in Scripture; this ha's onely some examples in Scripture that come not home to the cause. and some appearances of Reason; which are easily refuted by clearer Scripture and Reason.

1 Sam. 14. The examples alleadged are, I. The peoples rescuing of *Ionathan* out of the hands of *Saul*. *Answ.* Here the people drew not into arms of themselves. but being there at *Sauls* command, did by a loving violence and importunitie hinder the execution of a particular and passionate unlawfull command.

II. *Davids* resisting of *Saul*. *Answ.* 1. *Davids* guard that hee had about him was onely to secure his person against the cut-throats of *Saul*, if sent to take away his life. 2. It was a meer defence without all violence offered to *Saul*; therefore he still gave place as *Saul* pursued, and did no act of hostility to him or any of his Army when they were in his power, 1 *Sam.* 26. But thirdly, because they gather out of the 1 *Sam.* 23. 12. that *David* would have defended *Keilah* against *Saul*, if the Inhabitants would have been faithfull to him. Wee say that's onely an uncertain supposition, not fit to ground Conscience in this great point of resistance; also to this and all other *Davids* demeanours, in his standing out against *Saul*, we say his example was extraordinary; for he was anointed and designed by the Lord to succeed *Saul*, and therefore he might use an extraordinary way of safeguarding his person.

These are the chiefe examples. They make use also of the high Priests resi-
2 Chro. 26 sting the King in the temple, and *Elisha*'s shutting the doore against the Kings Messenger that came to take away his head; and the like; which speake not so much as the two former, having no appearance of such resistance as is implyed in the question. But wee answer, 1. That of the high Priest is

more

more pertinently applyed to the Popes power of excommunicating and deposing Kings, then to this power of resisting now used; but truly to neither. For he did no more then what every Minister may and ought to doe if a King should attempt the administration of the Sacrament; that is, to reprove him, to keep the Elements from him. Ambrose Bishop of Milain withstood the Emperour at the entrance of Gods house, not by Excommunication, much lesse by force of arms, but by letting him understand hee was not fit for that place, there to be made partaker of the holy things, till he had repented of that outrage and bloodshed at Thessalonica. Vpon which the Empe rour withdrew.

The Priests here are said to thrust him out of the Temple; but we must note Gods hand was first upon him smiting him with leprosie, and by that discharging him of the Kingdome also. It is added in the text, *yea himself also hasted to goe out*. But enough of this.

2. *Elisha's* example speaks very little. But let us thence take occasion to say, That Personall defence is lawfull against the sudden and illegall assaults of such Messengers; yea, of the Prince himself thus far, to ward his blowes, to hold his hands, and the like: not to endanger his person, not to return blows, no; for though it be naturall to defend a mans self, yet the whole Common-wealth is concerned in his person, as we see in the Common-wealth of the creatures, one particular nature will defend it self against another, but yeeld to the universall.

If this be drawn from personal defence to the publick resistance now used, as usually they make the Argument thus; If the body naturall, then the body politick may defend it self, if a private person much more the whole State may; and they doe but shut the way up against the King that comes to destroy his Parliament, and take away their heads.

We answer: As the naturall body defends it self against an outward force, but strives not by a schisme or contention within it self; so may the body politick against an outward power, but not as now by one part of it set against the Head and another part of the same body; for that tends to the dissolution of the whole. Again; Personall defence may be without all offence, and does not strike at the order and power that is over us, as generall resistance by Armes doth, which cannot be without many unjust violences, and does immediately strike at that order which is the life of a Commonwealth. And this makes a large difference 'twixt *Elisha's* shutting the doore against this messenger, and their shutting up the way against the King by armed men; nor can they conclude upon such an intention in the Kings heart without the Spirit of *Elisha*. He professeth hee intends no violence to his Parliament, nor ha's he taken away the head of any of theirs that have fallen into his power, nor does desire any other punishment inflicted upon any that do oppose him, then what a Legall tryall shall adiudge them to, which no good Subiect ought to decline.

Now let us see how Scripture excludes this and all other exceptions, giving no allowance to resistance, in regard of Persons or Causes, or other pretences, and this not onely by examples, but by precept, conclusions, Resolutions, which are more safe.

First, we have the two hundred and fifty *Princes* of the Congregation, gathering the people against *Moses* and *Aaron*, *Numb.* 16.3. and perishing in their sin. If it be replyed, the persons indeed were publick, but there was no cause for it; *Moses* and *Aaron* did not deserve it. I answer, but the other supposed they did, and that is now enough, it seems, to make people not onely say to their Prince, *You take too much upon you*, but therefore to rise in armes also; which I hope will appeare to be without cause too in the end of this Treatise.

Secondly, see for the cause of Resistance, 1 *Sam.* 8.11. there the people are let to understand how they should be oppressed under Kings, yet all that violence and iniustice that should be done unto them is no iust cause of resistance, for they have no remedy left them but crying to the Lord, *vers.* 18.

Thirdly, we have not onely example, but resolution and conclusion out of Scripture. The people might not be gathered together either for Civill assemblies, or for warre, but by his command that had the power of the Trumpet, that is, the supreme as *Moses* was, *Numb.* 10.

Also when *David* had *Saul* and his army in his power, he resolves the matter thus, *Who can stretch out his hand against the Lords anointed and be guiltlesse*, 1 *Sam.* 26.9. If replyed, now they intend not hurt to the Kings person; yet might not they as well have hurt his person in the day of battell, as any of them that were swept away from about him by the furie of the Ordnance, which puts no difference 'twixt King and common souldiers?

This also I must observe concerning this point of resistance, out of the Old Testament (for from thence have they all their seeming instances.) That it is a marvellous thing, that among so many Prophets reprehending the Kings of Israel and Iudah for idolatry, cruelty, oppression, none should call upon the Elders of the people for this duty of Resistance.

But lastly, that place of the Apostle, *Rom.* 13 at first mentioned does above all give us a clear resolution upon the point, which now I shall free from all exceptions.

First, I may suppose, that the King is the *Supreme*, as S. *Peter* calls him; or *the higher power*, as S. *Paul* here, though it be by some now put to the question, as one absurdity commonly begets another to defend it; but I prove it, S. *Peters* distinction comprehends all that are in authority, *The King as supreme, and those that are sent by him*, 1 *Pet.* 2.13 in which latter rank are the two Houses of Parliament, being sent by him, or sent for by him, and by his Writ sitting there. Also by the Oath of Supremacy it is acknowledged, That there is no power above him without or within this Realm; and that he is in all Causes and over all persons supreme. Also acknowledged by the Petitions of the two houses addressed unto his Maiesty, wherein they style themselves *His loyall Subjects*. But enough of this.

Secondly, in the text of the Apostle, all persons under the higher power are expressely forbidden to resist. For *whosoever*, in the second verse, must be as large as the *every soul* in the first, and the resistance forbidden here concerns all upon whom the subiect is inioyned there, or else we could not make these

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Universals good against the Papists, exempting the Pope and Clergy from the subjection.

Thirdly, in those dayes there was a standing and continuall great Senate, which not long before had the supreme power in the Romane State, and might challenge more by the Fundamentalls of that State, then our great Councell (I think) will, or can. But now the Emperour being *Supreme*, S. *Peter* calls him; or the *higher power*, as S. *Paul* here, there is no power of resistance left to any that are under him, by the Apostle. This for the Persons that should resist, all are forbidden. Now consider the Cause.

Fourthly, was there ever more cause of resistance then in those dayes? were not the Kings then not onely conceived to be enclined so and so, but even actually were enemies to Religion, had overthrown Lawes and Liberties? and therfore if any should from the Apostles reasons that he gives against resistance in the 3,4,5, verses, (*For Rulers are not a terrour to good works but evill, and he is the minister of God to thee for good*) reply, That Rulers so long as they are not a terrour to the good, but minister for our good, are not to be resisted: the consideration of those times leaves no place for such exception, because the Powers then (which the Apostle forbids to resist) were nothing so, but subverters of that which was good and just.

If it be replyed, That prohibition was temporary and fit for those times, as it is said by some. I answer, 1. This is a new exception never heard of (I think) but in these times. 2. It is groundlesse, and against the Text, for the reasons of the prohibition in the 3,4,5,6, verses, are perpetuall, from that order, that good, for which the powers are ordained of God, which will be of force as long as there is government, and will alwayes be reasons against resistance; because resistance (though it be made against abused powers as then they were) doth tend to the dissolution of that order, for which the power it self is set up of God. By which also that other distinction of theirs is made void, when as they reply, as they think, acutely, That they resist not the power, but the abuse of the power.

It is also answered by some, that the Emperors then were absolute Monarchs, and therefore not to be resisted. I answer: They did indeed rule absolutely and arbitrarily, which should have, according to the principles of these dayes, been a stronger motive to resist. But how did they make themselves of Subjects such absolute Monarchs, was it not by force and change of the government, and was not the right of the people & Senate (according to the Principles of these daies) good against them with as much or more reason, then the right of the people of this Land is against the succession of this Crown descending by three Conquests? And this I speak not to win an Arbitrary power or such as Conquerours use, unto this Crown, but onely to shew that Resistance can be no more made against the *Kings of England*, than it could against those Emperours. Nay, with lesse reason against them, then these.

Lastly, it is replyed, That Christian Religion was then enacted against by Law; but the Religion contended for is established by Law. I answer: But is

the Religion established denied to any that now fight for it? Shall the Apostles prohibition be good against Christians in the behalfe of actuall Tyrants persecuting that Religion, and not against Subiects freely enioying the Religion established? Or may *Protestants* upon a iealousie resist a *Protestant* King professing the same Religion, and promising to conserve it entire to them?

2. The prohibition does not only concern Christians, but all the people under those Emperours, and not only Religion was persecuted, but liberties also lost, the people and Senate were enslaved by Edicts and Lawes then inforced upon them, & they (according to the principles of these dayes) might resist, notwithstanding the Apostles prohibition, & the Laws then forced upon them; or else the State, as they usually say, had not means to provide for its safety: Thus one phansie of theirs thwarts another, because both are groundless. But more anon of those means of safty they suppose to be in every State, by the power of Resistance.

Hitherto of Scripture, which is most powerful against Resistance, in the prohibition & the reasons of it, by which Conscience will clearly see, it can have no warrant from Scripture for Resistance. Now let us try what Reason can enforce.

SECT. III.

FOr proving this Power of resistance, there is much speech used about the Fundamentals of this government, which because they lie low and unseen by vulgar eyes, being not written Lawes, the people are easily made to believe they are such as they (that have power to build new Laws upon them) say they are. And indeed none so fit to iudge of them as they: Yet this we know, and every one that can use his reason knows, that the Fundamentalls must needs be such as will bear the settled government of this Land, such as are not contradictory to the written established Laws: but both the government we see used in this Land, and the written Laws which we reade, must have a correspondency and analogie of reason to these Fundamentalls, and they to these.

Well then, they that plead for power of resistance in the people, lay the first groundwork of their Fundamentals thus: *Power* is originally in and from the people, and if when by election they have intrusted a Prince with the power, he will not discharge his trust, then it falls to the people; or, as in this Kingdom, to the two houses of *Parliament* (the representative body of the people) to see to it; they may reassume the power.

This is the bottom of their Fundamentals as they are now discovered to the people. But here we may take notice by the way, that however the Fundamentals of this Government are much talked of, this is according to them the Fundamentall in all Kingdomes and Governments; for they say power was every where from the people at first, and so this will serve no more for the power of resistance in England, then in France, or Turkey: but if this must be a Fundamentall, it is such an one as upon it this Government cannot be built, but Confusion and Anarchy may readily be raised; as shall appear by the clearing of these two particulars, Whether the power be so originally and cheifly from the people as they would have it; then, Whether they may upon such causes reassume that power.

First,

First, of the originall of power, which they will have so from the people, that it shall be from God only by a kind of permissive approbation, as we may see by the Observator, and all other that plead for this power of resistance. Wee must here distinguish what the writers of the other side seeme to confound, to wit, *the Power* it selfe, (which is a sufficiency of authority for command and coercion in the governing of a people) from the *designing of the Person* to beare that power, and the *qualification* of that power according to the divers wayes of executing it in severall forms of government; and then we grant that the designing of the person is sometimes from the people by choice, and that the power of the Prince receiving qualification by joint consent of himselfe and the people, is limited by the laws made with such consent; but the power it self is of God originally and chiefly, which we prove by Scripture and Reason.

First, by such places of Scripture as plainly shew an ordaining and appointing, rather than a permission or approbation:

1. The Apostle speaks it expresly, *The powers are of God*, Rom 13.1. and *the ordinance of God*, v. 2. S. Peter indeed saith, *every ordinance of man*, 1 Epist. 2. but *of man* there, and *of God* here is much differing; there it is ἀνθρωπίνη, of man, *subjectivè*, that is, every ordinance or power set up amongst men; but here it is ἀπὸ Θεοῦ, of God, *causaliter*, that is, from him, his ordinance; and if in that ἀνθρωπίνη there be implyed any creation or causality, or invention of man, it respects the qualification of the power according to the forms of severall governments and offices in them, which are from the invention of man; it does not make the power it selfe the creation of man, which is the constitution and ordinance of God; and men are not only naturally bent to society, but also are bound, as they are reasonable creatures, to set up and live under government, as under an order of that providence by which the world is governed.

2. He is called the *minister of God*, v. 4. but if so from the people and no otherwise from God then they would have him, he should be *minister populi* rather; he is indeed their minister for their good, which makes the people to be the end of this governing power, not the fountain and originall of it: therefore the necessity of subjection urged in v. 5. ha's a double ground *the ordinance of God*, whose ministers Rulers are, there's the fountain and originall of power to govern; then *the peoples good*, upon which Rulers ought to attend, that is an end of the governing power.

3. To the same purpose speak those other places, *by me Kings reign:* and, *I have said, ye are Gods*, Psa. 82. in relation to which our Saviour saith, Ioh. 10. *they are called Gods to whom the word of God came*, that *dixi*, that *word* is the command, the issuing out as it were the commission for the setting up of a governing power among the people.

These places cannot be satisfied with that poor part, they on the other side leave to God in the setting up of power for the governing of men, that is, to approve it when the people have created or invented it. Indeed if we consider the qualification of this governing power, and the manner of executing it according

cording to the severall formes of government, we granted it before to be the invention of man, and when such a qualification or forme is orderly agreed upon, we say it hath Gods permissive approbation.

Or, And therefore the imputation is causelesse which the Pleaders on the other side doe heedlessely and ignorantly lay upon us Divines, as if wee cryed up Monarchy, and that only government to be *jure divino*. For although Monarchy has this excellency, that the Government God set up over his people in the person of Moses, the Iudges, and the Kings, was Monarchicall; yet we confesse that neither that, nor Aristocracy, or any other forme is *jure divino*; but we say the power it self, or that sufficiency of Authority to govern, which is in Monarchy or Aristocracie, abstractly considered from the qualifications of either form, is an efflux or constitution subordinate to that providence, an ordinance of that *Deus*, that silent *word* by which the world was at first made, and is still governed under God.

Secondly, as this appeares by the former places of Scripture, so is it also suitable to Reason: Because God doth govern all creatures, Reasonable as well as Vnreasonable; the inferiour or lower world he governs by the heavens or superiour bodies, according to those influences and powers he has put into them; and the reasonable creatures, Men, he governs too by others set up in his stead over them: for which they are called *Gods*, because in his stead over the people: and the powers are said to be θεοῦ τεταγμέναι, *Rom.* 13. 1. not onely θεοῦ *from God*, but also as orders ranked under him too, subordinate to that providence by which all creatures are governed.

These his Ministers he sometimes designed immediately by himself, as Moses, the Iudges, Saul, David, &c. Now he designes his Vicegerents on earth mediately as by election of the people, by succession or inheritance, by conquest, &c. To conclude, The power it selfe of government is of God, however the person be designed, or that power qualified according to the severall formes of government by those Lawes that are established, or those grants that are procured for the peoples security. Thus much of the originall of Power.

SECT. IIII.

NOw we come to the Forfeiture, as I may call it, of this power. If the Prince, say they, will not discharge his trust, then it falls to the people or the two Houses (the representative body of the people) to see to it, and to reassume that power, and thereby to resist. This they conceive to follow upon the *derivation of power* from the people by vertue of election, and upon the *stipulation or covenant* of the Prince with the people, as also to be necessary in regard of those *meanes of safety*, which every Sate should have within it self. We will examine them in order, and shall find the arguments inconsequent.

Concerning the derivation of power, we answer, First, if it be not from the people, as they will have it, and as before it was cleared, then can there be no reassuming of this power by the people; thats plaine by their own argument.

Secondly,

Secondly, if the people should give the power so absolutely as they would have it, leaving nothing to God in it but approbation, yet could they not therefore have right to take that power away. For many things which are altogether in our disposing before we part with them, are not afterward in our power to recall; especially such in which there redounds to God an interest by the donation, as in things devoted, though afterward they come to be abused. So although it were, as they would have it, that they give the power and God approves; yet because the Lords hand also and his oyle is upon the person elected to the Crown, & then he is the Lords anointed, & the minister of God, those hands of the people which were used in lifting him up to the Crown, may not again be lifted up against him, either to take the Crown from his head, or the sword out of his hand. This will not a true-informed Conscience dare to doe.

Thirdly, how shall the Conscience be satisfied that this their argument, grounded upon election and the derivation of power from the people, can have place in this kingdom, when as the Crown not only descends by inheritance, but also has so often been setled by Conquest in the lines of Saxons, Danes, and Normans? In answering to this they look beyond all these, and say, the right is still good to the people by reason of their first election. I answer, So then that first election must be supposed here, & supposed good against all other titles, or else this power of resistance falls to the ground. It is probable indeed that Kings at first were by choice here as elsewhere; but can Conscience rest upon such remote probabilities for resistance, or think that first election will give it power against Princes that do not claim by it. We tell them the Roman Emperours were not to be resisted, Rom. 13. 2. they reply, as we had it above, that they were absolute Monarchs. But how came they of subiects to be absolute Monarchs? was it any otherwise than by force and arms? the way that the Saxons, Danes, and Normans made themselves masters of this people, & was not the right of the people as good against them for the power of resistance by virtue of the first election, as well as of the people of this Land, against their Kings after so many conquests? This I speak, not as if the Kings of this Land might rule as conquerors, God forbid. But to shew this slender plea of the first election can no more take place against the Kings of this Land, than it could against the Roman Monarchs, especially according to their argument, that hold all power originally from the people, & that (as we observed above) to be the fundamentall of all government. Therfore whether Kings were in this Land at first by election or no, we acknowledge what belongs to the duty of a Prince in doing iustice and equity. What Grants also, Lawes, Priviledges have since those conquests beene procured or restored to the people, unto all those the King is bound. But yet not bound under forfeiture of his power to the people, which now comes to be examined in that capitulation or covenant he is said to enter with the people.

In the next place therfore, That capitulation or covenant, and the oath which the Prince takes to confirme what he promiseth, are so alledged, as if the breach or non-performance on the Princes part were a forfeiture of his power. But we

answer,

answer, the words *capitulation* or *covenant* are now much used to make men believe the Kings admittance to the Crown is altogether conditionall, as in the meerly elective kingdoms of Polonia, Swedeland, &c. whereas our *King* is King before he comes to the Coronation, which is sooner or later at his pleasure, but alwaies to be in due time in regard of that security his people receive by his taking the oath, and he again mutually from them, in which performance there is something like a covenant, all but the forfeiture. The King there promises and binds himself by oath to performance. Could they in this covenant shew us such an agreement between the King and his people, that in case he will not discharge his trust, then it shall be lawfull for the States of the kingdome by armes to resist, and provide for the safety thereof, it were something.

If it be said, that so much is implied in the first election; we answer, we examined that slender plea of the first election above, as it was thought to be a derivation of power. Now as it is thought to have a covenant in it, we say, that usually in all Empires the higher we arise, the freer we find the Kings, & still downwards the people have gained upon them: For at first when people chose their Rulers, they did, as Iustine in the begining of his history observes, resign themselves to be governed by such, of whose prudence and moderation they had experience, and then, *arbitria Principum pro legibus erant*, the will and discretion of the Prince was law unto the people; but men were men though in Gods place, and therefore for the restraint of that power, with consent of the Prince, such Lawes have beene still procured by the people, as might make for their security.

Now from a promise the king makes for doing iustice (the duty of every Prince) for the continuing those priviledges, immunities, that have been granted or restored to the people, and for the observing of those laws that have been established with the Princes consent, & from that oath (by which for the greater security of the people he binds himself to the performance of the premises) to infer a great obligation lieth upon him, is right, but to gather thence a forfeiture of his power upon the not performance, is a plain but dangerous inconsequent argument.

And though such argument may seem to have some force in States meerly elective and pactionall, yet can it never be made to appear to any indifferent understanding, that the like must obtain in this kingdom. And to this purpose Phil. *Pareus* excuseth what his father had written more harshly upon Rom. 13. in the point of resistance, that it was to be understood of elective and pactionall government, not to the preiudice of England, or such Monarchies. For where the King, as it is said, never dies, where he is *King* before oath or coronation, where he is not admitted upon any such capitulation as gives any power to the people, or their representative body, as is pretended to; Nay, where that body cannot meet but by the will of the *Prince*, and is dissoluble at his pleasure; that there in such a State, such a power should bee pretended to, and used against the *Prince*, as at this day; and that according to the Fundamentalls of such a State, can never appeare reasonable to any indifferent iudgement, much lesse satisfie Conscience in the resistance that is now made by such a pretended power.

What

What then shall we say? Is the King not bound to perform? Yes, by all means. Or ha's he not a limited power according to the Laws? Yes, What then if he will take to himself more power, or not perform what he is bound to? Suppose that (though thanks be to God we are not come to that) then may the Subiects use all fair means as are fit to use, cryes to God, Petitions to the Prince, denialls of obedience to his unlawfull commands, denyalls of subsidy, ayd, &c. But are they left without all means to compell by force and resistance? This however it may at first sight seem unreasonable to the people, and very impolitick to the Statesman, yet ha's Scripture forbidden it, as before was plainly shewed, and so doth Reason too, as will appear in the examination of their last proof they make for reassuming this power and resisting, from that necessity of means of safety, which every State is to have within it self: Of which now.

SECT. V.

IN the last place it is thus reasoned, Were it not so that the two Houses might take and use this power, the State should not have means to provide for it's own safety, when the King shall please to desert His Parliament, deny His consent to their bills, abuse His power, &c. So they.

When right and iust will not defend ta hing then Necessity is usually pleaded; as if, because *Salus populi* in a good sense is *Suprema lex*, every thing must be honest which is *Sparta Vtile*, imagined to conduce to the propoſed end. We answer therefore.

1. They have many weapons sharpened for this resistance at the Philistins forge, arguments borrowed from the Roman Schools, among them this is one, the very reason that is made for the Popes power of curbing or deposing Kings in case of Heresie. For if there be not that power in the Church, say they, then in case the Civill Magistrate will not discharge his trust, the Church ha's not means for the maintenance of the Catholike faith and its own safety. Well, as we reply to them, the Church has means of preserving the faith, such as God has appointed, though not that of one visible head, which though at first seems plausible for preserving the Unity of faith, yet has experience shown it, to be indeed the means to bring much mischief upon the Church: So to the other we say, The State has means of preservation such as the Law has prescribed, though not such as are here pretended to in this power of resistance; which though seemingly plausible, yet true reason will conclude them dangerous, and at this day, God knows, we see it. Of this in the 4. answer more particularly.

2. If every State has such means to provide for its safety, what means of safety had the Christian Religion under the Roman Emperours in and after the Apostles times? Or the people then enslaved, what means had they for their Liberties? Had they this of resistance? *Tertullian* in his Apology sayes, the Christians had number and force sufficient to withstand, but they had no warrant; and the Apostle expressely forbids them, and all other under the higher power, to resist.

If it be replyed, as it was above touched, That things being so enacted by Law, it was not lawfull for them to resist. I answer, But it is known that not onely those Edicts which concerned Christian Religion, but also all other that proceeded from those Emperours and enslaved the people, were meerly arbitrary and enforced upon the Senate, and that the Senate did not discharge their trust in consenting to them, and therefore according to the former position the people might resist, notwithstanding the Apostles prohibition, or else no means of safety left in that State.

So would it be in this State, if at any time a King that would rule arbitrarily, as those Emperours did, should by some means or other work out of two Houses the better affected, and by the Consent of the Maior part of them that remain, compasse his desires; might the people then resist? The Apostle forbids it to them as well as to the *Romans* in such a case: if so, where are these means of safety by this Power of resistance? Or are these means of safety extinct in the Consent of the Senate, or the two Houses? No, the people will tell them they discharge not their trust, they chose them not to betray them, enslave them; but according to the principles now taught them, they might lay hold upon this power of resistance, for their representative body claims it by them.

Thirdly we answer, We cannot expect absolute means of safety and security in a State, but such as are reasonable; and such are provided, especially in the fundamentalls of this Government, by that excellent temper of the three Estates in Parliament, there being a power of denying in each of them, and no power of enacting in one or two of them without the third; which as it is for the security of the Commonwealth (for what might follow if the King and Lords without the Commons, or these and the Lords without the King, might determine, the evils of these dayes do shew) so is this power of denying, for the security of each State against other, of the Commons against the King and Lords, of the Lords against them: and must the King trust onely, and not be trusted? Must not he also have his security against the other, which he cannot have but by Power of denying? This is that Temper of the three Estates in Parliament, the due observing whereof, in the moderate use of this Power of denying, is the reasonable means of this States safety: But now not onely the name of Parliament, which implyes the three Estates, is restrained usually to the two Houses, but also that Temper is dissolved. I need not speak it, the distractions and convulsions of the whole Commonwealth, as the distempers in a naturall body, do sufficiently shew such a dissolution, and what's the cause of it.

If it be replyed, as it is, for the reasonablenesse of these means of safety, through that Power of resistance and the finall trust reposed in the representative body of the people, That many see more then one, and more safety in the iudgement of many then of one. *Answ.* True. But 1. Conscience might here demand for its satisfaction, Why should an hundred in the House of Commons see more then three hundred; or twenty in the Lords House, more then sixty that are of different iudgement and withdrawn? 2. Reason

2. Reason doth suppose, That the Prince, though one, sees with the eyes of many, yea with their eyes who are of different iudgement from him, for which his Houses of Parliament are his great Councell to present to his eyes the differences of things with the reasons of them; and albeit he sometimes dissents from the Maior or prevailing part, because he is convinced in his own iudgement they seek themselves not his or the publike good, or for other reasons that may perswade him against their Vote, yet have all times thought good to have Kings, and to reduce the iudgement of many unto one. The Government which God made choice of to set up among his people was Monarchicall still, first in *Moses*, then in the Judges, then in the Kings; yea generally all Authors yeild, and experience has taught it, That Monarchy is a better government then Aristocracy, because the Tyranny and Miscarriage of one, sometime happening in a Monarch, is nothing so dangerous as Oligarchy, Faction, and Division usually incident to Aristocracy or the Government by many equals. Again, as all times have thought it reasonable to have Monarchy, which settles the chief power and finall iudgement in One; so will there be alwayes sufficient reason to withhold the King from a willfull denyall of his Consent to the free and unanimous Vote of his Houses: he cannot but see there will alwayes be some necessary good accrewing to him by his Parliament, that will keep him in all reason from doing so, and no cases can be put or inconveniences feared upon his power of denying, but greater and more eminent will appear upon his not having it, as has been insinuated, and now do follow.

Fourthly therefore and lastly we answer. Such power of resistance would be no fit means of safety to a State, but prove a remedy worse then the disease. This is very plain by the drift of the Apostles reasons which he gave against resistance, in the 3, 4, 5, 6, *Vers.* of the 13. to the *Romans*, in which we may consider, that, although the Powers then were altogether unjust, tyrannicall, subverters of true Religion, nothing answerable to the end for which the Governing power is ordained, yet doth the Apostle draw his reasons against the resisting of them, from that good, that iustice, that order for which God hath set up the higher powers; to insinuate, that the resisting of the higher powers, even when they are so, does tend to the overthrow of that order which is the life of a Commonwealth; and this not onely because there is still order under tyranny, but chiefly because, if it were good and lawfull to resist the power, when abused, it would open a way to the people upon the like pretences to resist and overthrow even Powers duly administred for the executing of wrath upon them that do evill.

I enter this discourse, not to cast the least blemish upon Parliaments (which are an onely remedy for distempers of the Kingdom) not to reflect upon the intentions of those that are yet resident in that high Court, (unto God, the iudge of all, they stand or fall) not to raise iealousies, but to settle Conscience, and in the way of reasoning to shew according to the Apostles reasons what dangers and evils may ensue upon this power of resistance.

For first of all, This power of resistance, if admitted and pursued may proceed to a change of Government, the Principles that now are gone upon, and have carried it so farre as we see at this day, may also lead it on to that greatest of evils: and I have heard and seen it defended by the example of the Low-countreys; how they excuse it, throughly I examine not, but this I am sure they can say, That their Prince, succeeding in the right of the Duke of *Burgundy* was admitted upon other conditions then the Kings of *England* are: Also that a contrary Religion was enforced upon them by a terrible Inquisition, whereas they that do resist the higher Powers here, do freely enioy their Religion, and have the Princes promise and Protestation for it.

Secondly, This power of resistance when used, and pursued, is accompanied with the evils of Civill warre; Former times shew it, and how little was gained by it beside the expence of bloud; as when all was referred to the rule and disposing of the 12 Peers, how long lasted it? what security had the State by it? and at this day we feel and groan under the evils brought upon us through this power of resistance, the Law silenced, the Property and Liberty of the Subiect every where invaded: and the Lord knows when or how we shall be restored to them, or better secured in them by this way. Thirdly, We see the danger, if (as it is now said, for the iustifying of this power of resistance, The King will not discharge His trust, and therefore it falls to the representative body of the people to see to it, so) the People being discontented, and having gotten power shall say, The Members of the two houses do not discharge the trust committed to them, they do not that for which they were chosen and sent for, then may the multitude by this rule and principle now taught them take the Power to themselves, it being claimed by them, and say to them as *Numb.* 16. *Ye take too much upon you*, or, as Cade and Tylar, boast themselves Reformers of the Commonwealth, overthrow King and Parliament, fill all with rapine and confusion, draw all to a Folkmoot, and make every Shire a severall Government. These are Dangers and Evils not conceived in the phansie, but such as reason tells us may follow, and experience hath often, and this day doth shew us, do arise upon this Power of resistance, and for the preventing of which, the Apostle gave his reasons against resisting even of abused Powers, as we heard above. Lastly therefore, Seeing some must be trusted in every State, 'tis reason the highest and finall trust should be in the higher or supreme Power with whom next to himself God hath intrusted the whole Kingdom, all other that have power and trust, having it under him as sent by him; Good reason I say that the supreme Power (which is worth 10000 of the Subiects) should have the best security on its side, for as much as Order, the life of a Commonwealth, is so best preserved, and not so endangered by Tyranny as by factions, division, tumults, power of resistance on the Subiects part, and this is according to the drift of the Apostles reasons against resistance, as before they were laid down.

Well now unto all that hath hitherto been said from Scripture and Reason let Conscience adde the Oath of Supremacy and Allegeance, also the late Protestation

Protestation, and consider what duty lyes upon every Subiect by the former to defend the Kings Person and right against what powers so ever, and how by the latter he hath protested and undertaken before Almighty God, in the first place to defend the same; and then what can Conscience conclude from the Premises? that the Prince hath his power for the good of his people? True, but that power cannot be prevalent for the good and protection of his people, unlesse it be preserved to him intire, unlesse he hath the power of Deniall, and the chiefe command of Arms; or that the Prince hath a limitted power, according to the Laws established? True, but if Conscience be perswaded he does not hold himselfe within those bounds so fixed, can it be perswaded also that the people may re-assume that power they never had? or take that sword out of his hand that God hath put into it? No, Conscience will look at that Power as the Ordinance of God, and the abuse of that Power as a judgment and scourge of God upon the people, and will use not Arms to resist the Ordinance under pretence of resisting the abuse, but cryes and prayers to God, petitions to the Prince, denials of obedience to his unjust commands, denialls of Subsidies, ayds, and all fair means that are fit for Subjects to use, and when done all, if not succeed, will rather suffer than resist: so would a truly informed Conscience resolve, were the Prince indeed what he is supposed to be, and did he do indeed as the people are made to fear and believe he will do.

Hitherto we have been in the examination of the principle upon which they go that plead for resistance, and we have found both Scripture and Reason speak plainly against the resisting even of abused Powers, professed enemies to Religion, actuall subverters of the peoples liberties, how much more against the resisting of a Prince that professeth the same Religion which we freely enjoy, promiseth the mainraining of that and our liberties, only upon a supposall he will not stand to his word, will overthrow all.

This however it may seem lesse reasonable to the Statist in the way of policy, permitting as little as he can to the goodnesse of the Prince or the providence of God for the safety of the State; yet ought it to satisfie a Christian in the way of Conscience, which when it comes to a desire of being safe, will not rest till it have a sure ground, which here it hath against resistance laid down by Scripture and Reason, even the Apostles reasons so powerfull against resistance.

The summe of all is this, Conscience hears the Apostle expressely forbid all under the higher power to resist, findes no other clear Scripture to limit it, findes that the limitations given will not consist with it, for the reasons of them (that are drawn from the Election of the people, and the Covenant supposed therein, from the necessity of means of safety in every State to provide for it selfe) were as strong in the Romane State as any, nay, are supposed by those that urge them, to be the fundamentalls of every State: and so resistance is forbidden as well here, as there in the Romane State, which is also cleared by the Apostles reasons, shewing the power of resistance cannot be the means of safety, but strikes at Order and power it selfe, though made against tyrannicall and abused powers, as before often insinuated. Therefore Conscience will not dare to go against the Apostles

expresse prohibition, lest it fall into the iudgement denounced by him.

But if there shall be any Conscience as strongly carried away with the name of a Parliament, as the Papists are with the name of the Church, and thinking Religion may be defended any way, and that upon supposall that their Prince is minded to change it, (which is another humor of Popery) will not be perswaded that the resistance made upon the present supposall is unlawfull, against Gods word, and Reason: I am sure such a Conscience cannot be truly perswaded it is lawfull, but must want that clear ground it ought to have, especially in a matter so expresly against the Apostle, and of such high concernment as damnation: must needs run blindly, and headlong by a strange implicit faith upon so great a hazard.

SECT. VI.

NOw we come to the application of their principle to the present, where we must enquire according to the second and third Generalls, whether the resistance now made be such as is pretended to by them in such a case as they supposed, and then whether Conscience can be truly perswaded the King is such, and so minded as in the case he is supposed to be.

The chief considerations of these two Generalls, are matters of fact: The principle was examined by Scripture and Reason, these admit the iudgment of sense, and are cleared by what we hear and see: which iudgment of sense is not so easily captivated by an implicit faith as that of reason is, insomuch as Conscience here cannot be so blinded but it may see, that (were the principle good on which they rest, yet) this resistance which they make, is not such as in the case they supposed him to be, not such as ought to be resisted according to their own grants.

The second Generall was, That the Resistance now made, is not such as is pretended to by them that plead for it, and therefore Conscience can not be truly perswaded it may lawfully bear part in it, or assist them that in the pursuit of it pretend one thing and do another.

It was premised at the beginning, that such a resistance should be *omnibus ordinibus regni consentientibus*, agreed upon and undertaken by the generall and unanimous consent of the whole State, and that it should be only *Legitima defensio*, a mere defensive resistance, and these layd down, not that I admit resistance however conditioned (for all that I have sayd before, doth altogether condemne it) but according to their own grants that plead for it: To this purpose it is that they say the King is *Universis minor*, lesse than the whole State, and every body naturally defends it self. Therefore if a contention be between the Head and the Body, it must in all reason be the whole Body that is set against it, and if there be such an appearing against the supreme Power, as tends to resistance, the consent and iudgment of the whole Kingdom must be against him, or else every prevailing faction might indanger the State, by causing such changes and evils as now

its threatned with: This is the reason of this unreasonable power of resistance in the people.

Well then, how shall Conscience be perswaded that this resistance was agreed upon by an unanimous and free consent of the States assembled in the two Houses, such as in this case may be called the iudement of the whole Kingdom.

He that knows how the Militia (in which this resistance chiefly began) was brought in, with what opposition, especially in the Lords House, and by what number there at length was voted; also how the like proceedings of resistance, that have been voted since, are declared against, by a greater number of each House than do remain in either, such as have been cast out, or withdrawn themselves upon dislike of these proceedings: can he, I say, that knows this (and who knows it not, that hath eyes and ears?) be in Conscience perswaded, that this is such an unanimous, free and generall consent, the iudgment of the whole kingdom?

For though a Vote passed by a few upon the place ha's the power and condition of a Vote for the formality of Law, yet, if the question be, Was this passed in full assent lies? Did they all unanimously as one man consent unto it? Conscience cannot be convinced there is such efficacie in the place, as to make a few, the whole, or their agreement to be that iudgement of the whole Kingdom, that unanimous consent, which must be in the case of resistance, by their acknowledgment that plead for it. For were it in this case to be held for the iudgement of the whole, which is passed by a few, then would the State be unreasonably exposed to that danger (above mentioned) which every prevailing faction might bring upon it under the pretence of the iudgement of the whole Kingdome.

Again, as Conscience cannot be truley perswaded that this resistance is agreed upon with such a generall and unanimous consent, as they themselves pretend to, which plead for this resistance, so can it not truly be perswaded that this resistance is such for the mere defensive way of it, as it ought to be according to their grants and pretences that appear for it.

Conscience here will see how to resolve upon the triall of these two particulars, Whether the King or they be upon the defensive part? then, Whether the managing of this war, or resistance on their parts, be so voyd of hostile acts, as the defensive way, which they pretend to, ought to be?

Conscience will discern whether part is upon the defensive, by inquiring, First, Who were first in Arms? He that can number the succession of weeks, and moneths in his Almanack may decide this; He shall finde that armed men were thrust into *Hull*, the Kings Arms seized against his will, the Militia set up, and by that, the Kings Subiects drawn into Arms, before the King had any thing to oppose but Proclamations: That subscriptions for Plate, Money, Horse, That lifting of Souldiers for the field, and appointing of Officers of the Armie were begun upon their part, before His MAIESTIE did the like. Now resistance doth in the word it selfe and in their pretence, presuppose a power and force first made against them

them,

them, whereas it is plain, they were still upon the preventing and forehand with the King, still shewed him example for what he has done since in the way of War: yet must the people believe he raises the War, and they are upon defence; but conscience will not be so forced.

Secondly, by enquiring what is the cause of these Arms? What do they contend for? And though it be clear, That if Subjects be first in Arms, they cannot be upon the defensive, yet the consideration of the cause will more apparently convince it, when Conscience shall see it is not for what is pretended, but for something the King has right to deny, that this resistance is made. The preservation of Religion and Liberties is pretended, but can it be for either? The King denies them not: Their Religion they freely enjoy; and was it ever known that Subiects should rise in Arms against their Prince for a Religion which he promises to maintain? Or does Religion stand in need of a defence, which it self condemns, a defence which would be a perpetuall scandall to it? If therefore Religion be the pretence, but no cause of War: then is the War raised on their part, the King is upon the defensive. Or can it be for ancient Rights and undoubted Priviledges that they contend? The King denies them not, promiseth all security, so he may enjoy his own; and God forbid that either he or they should suffer in their just Rights. But would any man ever have defended the revolt of the ten Tribes, if *Rehoboam* had promised to conserve their Liberties? What shall we then think of this generall revolt from Allegiance that has possessed well-neer ten Tribes of twelve? They suppose he will not make good his promises, and therefore they will make all sure, seize his Arms and Forts, strip him of all, and if begin to stir for his own Right and Dignity, then the people must be made to believe he makes War against his Parliament, intends to destroy their Liberties. But can any man in Conscience think his Maiesty since the beginning of this breach was ever in such a condition of strength as might threaten the Liberty of the Subiect, or destroy Parliaments, when as it was long ere he could with much ado attain to any reasonable means of subsistence, or to such a strength whereby he might seem to be able to defend himself.

To speak truth, Religion and Liberties can be no other then the pretences of this Warre, the King has fortified them so with many Acts of Grace passed this Parliament, that they cannot be in that danger which is pretended for the raising of this Warre. It must be something that his Maiesty does indeed deny for which the contention is raised: That we shall finde to be his power of Arms, and ordering the *Militia* of the Kingdom, his power of denying in Parliament, his disposing of the Offices of State, and such like; Also the Government of the Church, and the Revenue of it. In the three former he challenges his Right, as his Predecessors had; the other he is bound by Oath to maintain as by Law they are established. Well, if these be attempted, and His MAIESTIE will not be forced from them, cannot yeeld them up, but it comes to Arms, then will Conscience easily be convinced the King is upon the defensive, for the maintaining of what he justly

holds

holds his right, or is bound by Oath to defend.

And if we hearken to the peoples voice, for that commonly speaks the mind of their leaders, we shall hear them usually call this Warre, as they did that with the *Scots*, the Bishops Warre. His Majesty has indeed alwayes declared against the altering of the Government of the Church by Bishops, being such as it alwayes had since the first receiving of the Christian faith in this land, and of all other Governments simply the best, if reformed from abuses and corruptions that have grown upon it, to the purging out of which his Majesty is alwayes ready to agree. But be it the Bishops Warre (though the abolishing of that Government be but one of the many inconveniences which this power of resistance doth threaten this Land with, and which the King has reason by power of Arms to divert) whether is it so just in Subjects by Arms to force a change of Government which was alwayes in the Church, and by Law established, as it is in the King to defend the same as he is bound by Oath? it is clear which of the two are upon to defensive.

The second particular by which the defensive way of this resistance is to be examined, was the managing of this Warre on their parts, whether so void of acts of Hostility as that defensive way should be which they pretend to. *Davids* resistance made against *Saul* is frequently alledged by them, which example, though it will not countenance their cause (as was shewed before) yet might it tell them their demeanour should be answerable. He offered no act of violence to *Saul*, but still gave place and withdrew from him: the Spear indeed and the Cruse *David* took away from the Kings head, but it was only to shew *Abners* neglect who had the Command of *Sauls* Militia, and to testifie his own integrity, therefore he restored them before they were demanded, 1. *Sam.* 26.

But now the Kings Spear and his Cruse, his Ammunition and his necessary Provisions are taken away, intercepted, not restored though often demanded, used against him with all advantage; nay he is stript of the very power and command of Arms, his Officers and Ministers thrust out, and other substituted, and by them his people drawn into Arms against him.

Also by these that are in resistance against the King, his Loyable and peaceable Subjects are assauled, despoiled of their Arms, Goods, Estates; their persons imprisoned, because they would according to their Allegeance assist him in this extremity, or would not, contrary to their Conscience, joyn with them against him. What Conscience that will not follow this way with a stupid implicit faith can be perswaded that this Warre is the defence of the Subjects Liberties, and not rather an oppugnation of them? or that

it is a mere resistance or withstanding of a force first made against them, and not rather a violent illation or bringing in of force upon those that were disposed to peace. Therefore no conscience that has a sense of Religion, or of that which is just and right between man and man, can bear a part in this resistance, for fear of that sentence of damnation which the Apostle has laid upon it.

SECT. VII.

BUt in the last place, if Conscience could be perswaded, that it is lawfull upon such a case, as they make, to take Arms and resist, and that this rising in Arms in such a defensive resistance, as in such a case they seem to pretend to, yet how will it be perswaded that the Case is now, that is, That the King is such as the people must be made to believe he is, unlesse it will as desperately offend against the rule of Charitie, in so concluding upon the King, as it does against the rule of Faith and perswasion, in admitting so ungrounded a principle as is now rested on for resistance: so that such a Conscience shall have in its perswasion neither certainty of Rule; for the principle it goes on is false, nor certainty of the Case, for it knows not the heart of the King, to conclude for resistance upon suppofals of his intentions, and in its judgement it will be altogether void of Charitie.

Indeed it concerns all such as will resist upon the principles now taught to render their Prince odious to his people under the hatefull notions of Tyrant, Subverter of Religion, and Laws, a Person not to be trusted, or at least as one seduced to such evill designes, by wicked Counsell. But what? Hath this King forbid the exercise of the Religion established, or left off to professe it himself? hath he disclaimed his trust, or not upon all occasions promised Justice and libertie to his Subjects?

Yea? but they have cause to fear Popery will prevail, and that he will not stand to his promises. It seems they are men that would be loath to suffer for their Religion, they are so ready to fly to Arms to secure themselves; But shall subjects rise in Arms against their Prince upon such remote fears and jealousies as these will appear to be? When can such be wanting in turbulent minds? When shall the Prince be assured of safety? This was the way that *David* himself was shaken out of his throne, and driven from *Jerusalem* by *Absalom*: This cunning Rebell steales away their hearts by raising jealousies in them and an evill opinion of *Davids* government, 2. *Sam.* 15. 3. Some ground, it seems, he had for his treacherous plea, through the negligence

once of those that were under *David*, but it was his villanie to make use of it to the alienating of the people from their King. Accordingly let us now consider what slender grounds our people have for their fears and jealousies, then what securitie they have and might have against them, that it may appear how causelesse those jealousies are in themselves, how unjust causes of this resistance.

If we examine the fears and jealousies that have possessed the people we shall find them to be raised upon these or the like grouds, Reports of forrain Power to be brought in, The Queens Religion, The resort of *Papists* to his Majesty, His intercepting of means sent for the relief of *Ireland*, from whence the people by their good teachers are made to believe, that he means to enslave this people, reestablish Popery, and does comply with the Rebells.

I answer to all which I needed not to say more then what *Michael* Archangel to the devill that arch-accuser, *The Lord rebuke thee*, *Jude* 9. but in particular; For such reports of invasions from abroad, as were, before the setting up of the Militia, given out to keep the people amused, the easier to draw them into a posture of defence as was pretended, all such are discovered by time to have been vain; if there be now any forrain ayds towards the King (as all Christian Kings cannot but think themselves concerned in the cause) it will be as just for him to use them against subjects now in Arms, as it was unjust in the *Barons* to call in the *French* against their naturall King.

For the Queens Majestie; Her Religion is no new cause, if it be a sufficient cause of Jealousie to them, they have had it from her first entrance; I would to God it were otherwise with her, that it would please the Lord to open her eyes that she may see the truth and light of the Protestant Religion: only this I must say, this is not the way to draw her to it, if she look at it in the doctrines and practices of these times she is not like to fall in love with it.

For the resort of Papists, and the Kings entertaining them; He hath often declared what caution he desired to use therein, till necessitie hath driven him to admit of some few into his Army, which also he answered lately. Let me adde this concerning the justnesse of it, If he hath entertained any into this service, he may justly make use of them. We see what manner of men were gathered to *David* in his distresse, 1. *Sam.* 22. 2. and how false *Ziba* bringing provision to the King when he fled from *Absalom*, was entertained and rewarded,

insomuch that the King (when afterward he knew how *Zibah* abused him to gain his own ends) would not reverse the sentence pronounced in his favour; If therefore in this distresse after much forbearance our King hath admitted the help of some Recusants, it cannot be alledged as a cause of the resistance was a cause of it; and if the *Papist* will shew himselfe a good Subject, it is just and reasonable that the King when he is put to it, may admitt of his help, and the more shame it is for them that professe the Protestant Religion to force him to it; a scandall that would not easily be wiped off from our Religion, were it to stand or fall, by the doctrines of this giddie *Age*.

Lastly, His Majestie hath written enough for the clearing himselfe from those false and odious imputations laid upon him in relation to the *Irish* businesse. I have onely thus much to say, concerning any thing intended for the relief of *Ireland*; It was great pitie they should want it there, but it is more pitiefull, the King should be forced to make use of it here.

It is not long since our neighbour Nation brought an Army into the Northern parts of this kingdome to the great detriment of the inhabitants there, and it was excused by invincible necessitie, which drove them hither. The necessitie his Majesty was driven to is sufficiently known, and might excuse him, in taking his own where he meets with it, and drawing it from his service abroad to that which more nearly concerned him at home. And when his Arms, Moneys, and Provisions are seised on wherever they be found intended for him, and imployed against him in Warre, the Lord knows how unnecessiry, shall it not be lawfull for to take some part of them where he finds it for his necessary defence?

Indeed the distresse of *Ireland* by the help of wicked Pamphlets hath been used as a great engine to weaken the Kings reputation with his people; but upon whose account the heavie rekoning of that neglected Cause will be laid, together with the disturbance of this kingdome, any man in conscience may easily discern, that sees what sufficient and reasonable means might have been had for the security of Religion and Liberties, and for the redresse of all just grievances before this time. Which is the next thing considerable: What his Majesty hath done and profered to exempt these scrupules of fears and jealousies out of his peoples minds.

For

For Religion, if it be a new frame they contend for, I must acknowledge hee declares against all such; but if they desire the continuance of that true Protestant Religion, which hath bin professed without interruption from the beginning of the Queens dayes, and established by the Lawes of this Land, that he undertakes to maintaine, that he hath protested in the head of his Army to defend. For matter of Church-government and discipline he hath offered any just reformation, even with a respect to render consciences in point of ceremony, hath often called His two Houses to the worke in drawing up the grievances to some head. For priviledges of *Parliaments* and Liberty of Subjects hee hath given them the like promises with the deepest Protestations; and by an excellent moderation, amidst the pressures and necessities of Warre, hath showen what respect he hath to the property and liberty of the Subject. Lastly, For his choyse of Officers of State, he hath promised to admit any just exception, and thereupon to relinquish the person; and as an assurance of all this, hath so far condescended as to take away Star-Chamb. High Commission, Bishops votes, *&c.* and the Continuance of this Parliament, & the constant returne of a Triennial; And now after all these promises and protestations and so many expressions of grace, can any man in conscience think there was yet place left for Propositions of such necessary concernment, that except they be granted this kingdome must be imbroyled in a Ciuill War, & the reliefe of *Ireland* neglected? I speake not this to cast any blemish upon the wisdome of the great Councell, or upon their desires and endeavours to gaine a great security to the publicke: but I would to God, the King were once thought worthy to bee trusted a little, and that the Consciences of his Subjects were more respected, which cannot so easily be commanded into a resistance, being very tender in the points of damnation, and taught out of Gods Word, *Not to raise so much as an evill thought against the King*, *Eccl.* 10. much lesse to lift up an armed hand.

Every mans Conscience now is solicited to adhere either to the King in this great cause, or to joyne with Subjects in making resistance; To draw it from Allegiance, tongues are set on fire of hell, which blast His Majesties Actions and Declarations, and books written by hellish spirits, enemies to peace and quietnesse, are suffered to issue forth into every corner of the Land to possesse the people, that his promises are but words, his Acts of grace were forced, he will not stand to them: It seemes then he must by force of Armes be compelled to be willing. But let us see whether a conscience that desires to be safe can be so perswaded in judging the actions and intentions of him (to whom it owes the highest duty under God) as first to conclude he intends not as he promises, and thereupon to resolve for resistance? No, it will direct it selfe by the rule of Charity, which is, not rashly to conclude upon the heart which it knoweth not, or to think any evill; and if the difference be

betwixt two, as in cause, it will hold the rule of indifferency, impartially to consider the actions of both. Conscience therefore that it may be informed of his Majesties intentions, will it look upon him at such a distance as *London* and read him only in those horrid relations that issue thence, and conceive of him as they report him to the people? or will it consider some failings that necessity has inforced, or other accidentall occurrences have occasioned, and from these conclude intentions to him, contrary to all his promises and Protestations? This would be too partiall, too uncharitable: Conscience ought alwayes to be tender in judging upon other mens intentions, especially those of the Prince, and those to be concluded as evill, and to be made a ground for resistance, which runs the hazard of Damnation. In the 2 *Chr. c.* 21. 10. Libnah is said to revolt from the King of Judah because hee had forsaken the Lord; a Text that is objected to us, and should have bin answered in the first part: but it is impertinent as all the rest are, for it neither proves the principle, That it is lawfull for the people to revolt when the King forkes Religion, but shewes that such revolt is a punishment from God upon such a King, though a sinne in the people: Nor doth it come home to the Case; for there the King had forsaken; here is onely supposall that he will, and that groundlesse and unconscionable too. For as there was enough in *David* to clears these Iealousies upon which that rebellion of the people following *Absalom* was grounded, so is there on the Kings part, to direct conscience against this desperate uncharitable iudgment, if it look at those many Acts of grace as new additions to that security, by which this State has so long stood, and from them conclude, He would not in a faire way deny any thing reasonable: If it consider those many promises strengthened with the deepest protestations, enforced with desires of successe from God according to his iust intentions, and all these, as proceeding from a King, under such affliction, in such danger, after such successe and experience of Gods protection, approving thereby the reality and sincerity of his heart: What conscience can here conclude contrary intentions in him, and not think it blasphemeth God and the King?

Furthermore, as conscience will not be uncharitable when it iudgeth upon the intentions of another mans heart, so neither will it be partiall when it iudgeth between two, unto which of them it should incline: and therfore he that is abused to believe amisse of his King, and solicited to enter this way of resistance, is highly concerned first to consider, whether they also that are the the main directours of it, and to whom he would adhere, doe discharge their trust they are called to, I say such an one, unlesse he will resigne up his faith to men, and receive their dictates as the immediate rule of his conscience, must consider whether all be iust and honest that is done in that way? whether to divest the King of the power of Armes and to use them against him, be to defend his person, Rights, and dignity? Whether the forcing of the Subiects

pro-

property, to the advancing of this resistance, and the imprisoning of their persons for deny all, be the maintaining of the right and liberty of the Subiect? whether the suffering of so many Sects to vent their doctrines with such liberty, and to commit unsufferable outrages upon the worship of God, with such licentiousnesse, be a defending of Religion and the established worship of this Church? All these duties every Subiect respectively is bound to discharge, and the neglect of them His Maiesty has chiefly charged upon those that he conceives the chiefe directours and Actours in this resistance made against him, and every man in conscience ought seriously to consider it.

The necessity of the Common-wealth is pretended to defend the not-defending of the premises; when as no necessity may excuse any failings on the Kings part, as it his promises, by which he stands obliged to his Subiects, did not suppose they for their parts also should performe: I know not how some particular men may be engaged and contract a necessity of resisting, or seeking safety by Armes; but I am perswaded, no man in Conscience can thinke it a necessity of the Common-wealth to have all confounded, or of a Christian to run the hazard of damnation by resisting. My conscience tells me, and will theirs one day tell them, how much they have to answer for not improving that grace and willingnesse, they had experience of in His Maiestie and might still have found in him, to the speedy and happy Reformation of this Church and State; I pray God to give them Consciences truely inlightned, and bowels truly compassionate, that they may speedily and feelingly be sensible of the miseries this Land grones under, and faithfully examine how far they are answerable for them, by reiecting such reasonable meanes of security, as they might have had for the safety of this State. *Amen.*

And now if there be any one that will run the hazard of this resistance, I desire he would first set his Conscience before the Tribunall of God, where it must appeare, and consider whether it will excuse him there, when he has shed the bloud of others, and expended his owne, to say, I verily supposed and believed my Prince would change Religion, overthrow our Liberties. I must tell him it will not be safe for him to present such a Conscience at that barre, a Conscience that wanted the rule of Faith to warrant and perswade the lawfulnesse of resistance upon such a supposall, a Conscience that wanted the certainty of perswasion that the Princes heart (which God onely knowes) was so inclined, a Conscience that wanted the judgement of charity, in concluding such intentions in the King notwithstanding all his promises and deepest protestations made in the time of his trouble, without which Charity all is nothing though he layes downe (as he thinkes) his life for Religion. Such a Conscience I must needs conclude sinfull, and lyable to that which the Apostle threatens unto Resistance, Damnation.

FINIS.